

AN ORDINANCE GRANTING TO GARKANE ENERGY COOPERATIVE, INC.  
ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT,  
AND POWER FRANCHISE

BE IT ORDAINED BY THE TOWN BOARD OF Glendale, Kane County, Utah as follows:

Section 1. That there is hereby granted to Garkane Energy Cooperative, Inc., its successors and assigns (herein called the Grantee), the full and complete authority, right, privilege and franchise, for fifty years from date hereof, to construct, operate and maintain electric power lines and facilities together with all the necessary and desirable appurtenances (including but not necessarily limited to underground conduits, poles, towers, and wires as well as telephone wires and other compatible communications equipment and facilities), for the transmission and distribution in and through said Town of electricity to present and future residents and inhabitants thereof and all other persons and corporations desirous of using the same, along, in, upon and across the present and future roads, highways and public places of said Town.

Section 2. Poles and towers shall be so erected as to interfere as little as is reasonably possible with traffic over said roads and highways. The location of all poles, towers and appurtenances shall be fixed under the supervision of the Town Board, but not so as to unreasonably interfere with the proper operation of said lines.

Section 3. All lines constructed under this grant shall be constructed in accordance with established practices with respect to electrical construction.

Section 4. The Town shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation or maintenance by the Grantee of its lines and appurtenances hereunder, and the acceptance of this franchise shall be deemed an agreement on

the part of said Grantee, its successors and assigns, to indemnify said Town and hold it harmless against any and all liability, loss, cost, damage or expense which may accrue to said Town by reason of the neglect, default or misconduct of the Grantee in the construction, operation or maintenance of its line and appurtenances hereunder.

Section 5. The Grantee shall file its written acceptance of this franchise with the Town Clerk of the Town of Glendale, Utah, within thirty days after its passage.

Section 6. In the opinion of the members of the Town Board of Glendale, Utah, it is necessary for the preservation of the peace, health and safety of the said inhabitants of the Town of Glendale, Utah, that this ordinance become effective as soon as legally possible.

Section 7. This ordinance shall take effect as soon as it shall have been posted in three of the most public and conspicuous places within the said Town of Glendale, Utah, and as soon as it shall have been deposited and recorded in the office of the Town Clerk of Glendale, Utah and accepted as herein required.

Passes by the Board of Trustees of Glendale, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk